

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA

v.

ROBERT ARBUCKLE

§
§
§
§
§
§

CASE NO. 4:06cr198

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On June 18, 2008, the report of the Magistrate Judge was entered regarding Petitioners Tim Smith's, John Karhoff's, Kent Peterson's, Palwinder Singh Hara's and Robert Laswell's Proof of Claim in this matter (Dkt. 61) and recommending that the Petitioners' claims be DENIED.

The court has made a *de novo* review of the objections raised by the Petitioners and, having denied the motion to reopen the criminal judgment, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Petitioners are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court, and Tim Smith's, John Karhoff's, Kent Peterson's, Palwinder Singh Hara's and Robert Laswell's claims as to the seized property in this matter (Dkt. 61) are **DENIED**.

IT IS SO ORDERED.

SIGNED this 15th day of September, 2008.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE